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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
PRINCE GREENE, et al.,

Plaintiffs,

- against -

THE CITY OF NEW YORK et al.,

Defendants.  
-----X

06 Civ. 2062 (VM)

CONDITIONAL  
ORDER OF DISCONTINUANCE

**VICTOR MARRERO, United States District Judge.**

Counsel for defendants, on behalf of the parties, having notified the Court, by letter dated February 21, 2007, a copy of which is attached, that the parties have reached an agreement in principle to settle this action without further litigation, it is hereby

**ORDERED**, that this action be conditionally discontinued without prejudice and without costs; provided, however, that within sixty (60) days of the date of this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Otherwise, within such time counsel for plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event by the deadline indicated the settlement is not consummated. Upon such notification, the defendant shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within thirty days of the

plaintiff's application for reinstatement, to schedule remaining pre-trial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event plaintiff has not requested restoration of the case to the active calendar within such period of time.

The conference scheduled for March 9, 2007 is canceled but shall be rescheduled as set forth above in the event plaintiff notifies the Court that the parties' settlement was not effectuated and that such conference is necessary to resume pretrial proceedings herein.

The Clerk of Court is directed to close this case.

**SO ORDERED.**

Dated: NEW YORK, NEW YORK  
22 February 2007

  
Victor Marrero  
U.S.D.J.



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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NEW YORK, NY 10007

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February 21, 2007

Via Facsimile (212) 805-6382  
The Honorable Victor Marrero  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 905  
New York, New York 10007

Re: Greene et al. v. City of New York et. al,  
06 CV 2062 (VM)

Your Honor:


I am a Special Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants City of New York, Brian Pollack, and Rodrigo Caballero in the above-referenced civil rights matter.

I write to advise the Court that the parties in this matter have reached a settlement agreement. A Stipulation and Order of Settlement and Dismissal will be forwarded to the Court upon execution by the parties.

A conference is presently scheduled for March 9, 2007 at 9:30 a.m. In light of the settlement, defendants respectfully request that the Court cancel the conference.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Joyce Campbell Privette". The signature is fluid and cursive, with the first name "Joyce" being particularly prominent.

Joyce Campbell Privette (JCP1846)  
Special Assistant Corporation Counsel

**Via Facsimile (212)**

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